

Topsfield Planning Board

September 1, 2015

Chairman Morrison called the meeting to order at 7:30 PM at the Town Library. Board members present were Martha Morrison, Jeanine Cunniff, Joseph Geller, Steven Hall and Stephen Silveri. Roberta Knight, Community Development Coordinator was also present.

Visitors: Dick Gandt, Larry Beals, Tyler Glode, Jim Wilkinson, Gary Patch, Martha Sanders, Joanne Harder, Stephen Longmuir and David Finn.

12 Hickory Lane (Lot 4) SWEC: At 7:30PM, Chairman Morrison called to order the public hearing to consider the application of Patch Development, LLC pursuant to the Topsfield General By-laws, Chapter 51, Storm Water Management And Erosion Control for a stormwater management permit for the construction of a single family dwelling, septic system and driveway. Project Engineer Larry Beals presented and reviewed the storm water plan for the lot.

Mr. Beals noted that the house was now sited at the original location. A septic system was approved by the Board of Health on July 28th. There was no work proposed in the basin area; however, erosion control would be put in place to protect the basin. There would be swales installed along both side lot line perimeters directing the water and swales would also be located around the house to put roof drainage from the drip edge back into the ground. The roadside swale would be reconfigured per the original infrastructure plan with a culvert under the driveway. A swale would be installed in back of the house to direct water to the detention basin. A retaining wall would also be installed behind the house to create a back yard space.

Chairman Morrison questioned Mr. Beals relative to the lack of water in the detention pond. Mr. Beals responded that the original peer review by BSC Inc. was conservative and the detention pond was over designed and over built.

Chairman Morrison also noted that the roadway swale would need to be re-established and that water seemed to be always flowing in front of lot 3. Mr. Beals responded that once the culvert is located under the driveway, the roadway swale re-established and lot 4 graded from the roadway, water would be directed to the pond and the basin would work properly.

Chairman Morrison then addressed Highway Superintendent's comments concerning the need for the pavers within the easement to be fixed and placed within the easement. Then Ms. Morrison again requested assurance from the Project Engineer that the water from the house and driveway would go to the basin. Mr. Beals noted that once the driveway is graded the water run-off would be directed to the basin.

The Board then reviewed the conditions for the permit adding conditions for the roadway swale, grass pavers repaired and within the easement, perimeter swales along lot lines with lots 3 and 5.

Chairman Morrison then queried the members if they were comfortable with no peer review. It was the consensus that a peer review would not be required.

Mr. Jim Wilkinson, Chair of the Homeowners Association, queried as to whether there would be any grading changes on the lot. Mr. Beals responded that the grade behind the house would be a match grade with lot 5. The small swale between lots 3 and 4 would direct water run-off into the roadway swale.

Clerk Steven Hall made the motion to approve the stormwater management permit for 12 Hickory Lane (Lot 4) subject to the aforementioned conditions; seconded by Member Joseph Geller; so voted 5-0.

57 Perkins Row Status Update: Chairman Morrison initiated a discussion relative to the status of the subdivision's review process. Member Jeanine Cunniff informed the Board that she had attended the August 19th Conservation Meeting. Ms. Cunniff stated during that meeting it was noted that the submitted subdivision plan presumed granted waivers by the Conservation Commission which has not made any decisions relative to its jurisdictional matters. Moreover, Ms. Cunniff noted that the Planning Board had instructed the developers not to make assumptions of waivers.

Ms. Knight presented the Board with a request for continuance to September 15, 2015 by the developers' legal representative Attorney Nancy McCann. Member Jeannine Cunniff made the motion to continue the public hearing to September 15, 2015 at 8:30PM; seconded by Clerk Steven Hall; so voted 5-0.

120 Hill Street Update: Chairman Morrison at this time addressed several residents of Hill Street and informed them that the Planning Board has not received any official application regarding a proposed subdivision at 166-120 Hill Street. Ms. Morrison did inform the residents that the Board of Selectmen (Ms. Morrison is also a Selectman) had received a letter from the property owners relative to a purchase and sale agreement for the property which is under Chapter 61A Agricultural Exemption. Since use would change from agriculture to single family residences a formal notification is required to be sent to the Board of Selectmen. Acting through the Board of Selectmen, the Town, has the right to purchase the land or transfer its rights to an organization for the preservation of the land. The Board of Selectmen noted deficiencies in the purchase and sale language that had too many contingencies and forwarded the documents to Kopelman & Paige (Town Counsel) to review. Town Counsel notified the owner's attorney that a bonafide purchase and sale was required.

Chairman Morrison noted that she has talked with the buyer's attorney and expects that a preliminary open space plan will be filed in the meantime. In an open space plan, 50% of the land is turned over to the Town as open space of which no more than 50% of that land can be wetlands.

Both Mr. Longmuir and Mr. Finn noted their respective concerns relative to the cornfield's erosion controls. Mr. Longmuir also expressed his concerns relative to the detention pond at 124 Hill Street and the damage which has happened to his property since the three lots have been developed across the street. The stormwater and drainage issues on that area of Hill Street were discussed at length with the residents.

Minutes:

Member Joseph Geller made the motion to approve the minutes of June 2, 2015 approved as amended; seconded by Clerk Steven Hall; so voted 5-0.

Member Jeanine Cunniff made the motion to approve the minutes of July 7, 2015 approved as amended; seconded by Clerk Steven Hall; so voted 5-0.

27 East Street ANR Plan: The members reviewed the ANR Plan revisions and the letter from Peter Kane, the surveyor, who responded the questions that the Board had concerning the differences in the Key map and the Locus map.

Clerk Steven Hall made the motion that the Board made a determination that this plan was not subjected to Subdivision Control Act and to endorse as "Approval Not Required" a Plan entitled "Plan of Land, 27 East Street & 27R East Street, Topsfield, MA" Dated: May 29, 2015; Prepared by: Kane Land Surveyors; Owned by: Judson & Barbara Pratt; and Scott A. & Micheline J. Harris: Showing the division of land on Map 13, Lot 25 and Lot 29 in the Town of Topsfield, Essex County, Massachusetts into two (2) reconfigured lots by combining Parcel 1A with Lot 2 to form one contiguous lot containing $\pm 29,588$ sq. ft. and combining Parcel 2A with Lot 1 to form one contiguous lot containing $\pm 42,369$ sq. ft.; seconded by Member Stephen Silveri; so voted 5-0.

470 Boston Street: Chairman Morrison noted that the Town has been approached by a developer working with Doug Conn, the owner, as to a possible over 55 Elderly Housing Development for the property.

The meeting was adjourned at 9:20 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator

Per the Open Meeting Law, the documents that were either distributed to the Planning Board before the meeting in a packet, or at the meeting were:

1. Agenda
2. Request for Continuance Re: 57 Perkins Row Public Hearing
3. Letter from Kane Land Surveyors, dated August 17, 2017
4. Morin-Cameron: 57 Perkins Row Re: response on Conservation peer review, August 18, 2015
5. Matthew Burne: 57 Perkins Row Site Evaluation, August 22,. 2015
6. Perkins Row Resident Letters
7. Beals & Thomas: 57 Perkins Row Re: Coordination of Peer Review Services, July 28, 2015

Approved as written at the _____ 2015 Planning Board meeting.

<p>Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Committee constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Committee as to the completeness or accuracy of such statements.</p>
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